

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Michael John Bui,

Plaintiff,

v.

Civil No. 08-317 (JNE/JJG)  
ORDER

Mark Berhardson, City Manager; and  
Schoeborn Patrice, Manager,

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Jeanne J. Graham, United States Magistrate Judge, on February 12, 2008. The magistrate judge recommended that Plaintiff's Application to Proceed Without Prepayment of Fees be denied and that this action be summarily dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) (2000).

Plaintiff objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Plaintiff's Application to Proceed Without Prepayment of Fees [Docket No. 2] is DENIED.
2. This action is summarily DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 13, 2008

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge